IN THE HIGH COURT OF GUJARAT AT AHMEDABAD


CIVIL REVISION APPLICATION No 403 of 1991



For Approval and Signature:

Hon'ble  MR.JUSTICE S.K.KESHOTE
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1.      Whether  Reporters  of  Local Papers may be allowed
        to see the judgements?

2.      To be referred to the Reporter or not?

3.      Whether Their  Lordships  wish to see the fair copy
        of the judgement?

4.      Whether  this  case involves a substantial question
        of law as to the interpretation of the Constitution
        of India, 1950 of any Order made thereunder?

5.      Whether  it is to be circulated to the Civil Judge?

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    AHMEDABAD ELECTRICITY COMPANY LTD
Versus
    NAVRANG TEXTILE PRIVATE LTD
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    Appearance:
        MR HB SHAH for Petitioner
        None present for Respondent


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    CORAM :  MR.JUSTICE S.K.KESHOTE
    Date of decision: 23/11/98

ORAL JUDGEMENT
    1. This  civil  revision  application  arises  from
    summary suit No.2585/83 and the learned counsel  for  the
    petitioner  is  unable  to  say whether the suit is still
    pending in  the  trial  court  or  not.    There is  all
    possibility that by now the suit would have been disposed
    of. Be  that  as  it may. Otherwise also, this revision
    application is directed against the order of the  learned
    trial  court  dated 11-2-1991 under which the application

of the plaintiff for restoration of civil suit No.2585/83 has been granted subject to the condition of depositing Rs.700/- as costs payable to the defendant. Though I have my own reservation whether such an order is revisable under section 115, C.P.C. or not but in view of the order of this Court whereunder the plaintiff-petitioner is directed to deposit Rs.350/- as costs of restoration of the suit, nothing substantial now survives in this revision application. There is all possibility that the amount of Rs.350/- as ordered by this Court to be deposited would have been deposited.

2. This revision application is disposed of in the terms that nothing now to be deposited, more than sum of Rs.350/-, as costs of restoration of the suit by the plaintiff-petitioner. Accordingly, the revision application and rule stand disposed of.

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zgs/-